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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,858	12/21/2001	Atushi Kato	016907/1342	5718
22428	7590	10/29/2003	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			NGUYEN, HOAI AN D	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 10/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/023,858

Applicant(s)

KATO, ATUSHI

Examiner

Hoai-An D. Nguyen

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Aoki (US 6,631,008).

**Aoki teaches a network system, information processing apparatus, and information memory medium comprising:**

- An image-forming-job managing apparatus (FIG. 1, servers 20A and 20B), a terminal (FIG. 1, computer 14), and an image forming apparatus (FIG. 1, printers 40a, 40b, 40c, and 40d), with regard to claims 1, 8 and 12.
- A communication section (FIG. 6, signal input/output component 22) configured to execute communication between the terminal and another image-forming-job managing apparatus via a communication line (Column 8, lines 14-18), with regard to claims 1, 8 and 12.
- A job storage (FIG. 6, processing data memory 28) configured to store image-forming job (Column 8, lines 20-22), with regard to claims 1, 8 and 12.

- A job transfer section (FIG. 6, processor 24) configured to transfer the image forming job stored in the job storage section to said another image forming-job managing apparatus via the communication section based on a job output destination change command, which requests a change of an output destination of the image forming job and is issued by the terminal (Column 5, lines 25-50, and from column 8, line 5 to column 9, line 17), with regard to claims 1, 8 and 12.
- A server search section (FIG. 6, printer server 32) configured to obtain machine information of another image forming apparatus managed by said another image-forming-job managing apparatus based on a server search command, which requests machine information of the image forming apparatus and is issued by the terminal (Column 8, lines 50-56), with regard to claims 2, 9 and 13.
- A machine information output section (FIG. 6, printer server 32) configured to transmit the machine information, obtained by the server search section, to the terminal via the communication section (Column 9, lines 1-9), with regard to claims 2 and 9.
- A job change section (FIG. 6, image processing server 34) configured to change information of the image forming job stored in the job storage section based on a job information change command, which requests a change of information of the image forming job and is issued by the terminal (From column 3 line 56 to column 4, line 9; and column 9, lines 10-17), with regard to claims 3, 4, 7, 10 and 11.

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- A job management section (FIG. 6, processor 24) configured to transmit a print control information of the image forming job stored in the job storage section to the terminal via the communication section based on a job display command, which requests the print control information of the image forming job and is issued by the terminal (Column 9, lines 1-17), with regard to claims 5 and 6.
- A machine information storage section (FIG. 6, capability data memory 30) configured to store machine information of said another image forming apparatus, as well as corresponding machine information of other image forming apparatuses also communicatively connected to the communication line (Column 8, lines 22-36), with regard to claim 14.
- Location information of corresponding printer managed by the image forming apparatuses; and number of jobs waiting for printing for the corresponding printers managed by the image forming apparatuses, wherein the machine information of any of said image forming apparatuses can be sent to the terminal upon a request made to the image forming apparatus by the terminal (Column 6, lines 55-60, and column 12, lines 18-30), with regard to claim 15.

3. Claims 1, 8 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 10-078858.

**Aoki teaches a network system, information processing apparatus, and information memory medium comprising:**

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- An image-forming-job managing apparatus (FIG. 1, servers 11, 21 and 31), a terminal (FIG. 1, PCs 10, 20 and 30), and an image forming apparatus (FIG. 1, printers 12, 22 and 32), with regard to claims 1, 8 and 12.
- A communication section (FIG. 2, inquiry means 14, 24 and 34) configured to execute communication between the terminal and another image-forming-job managing apparatus via a communication line (FIG. 1, network cable 1) (Paragraphs [0013] and [0015]), with regard to claims 1, 8 and 12.
- A job storage (not shown) configured to store image-forming job (well known in the art), with regard to claims 1, 8 and 12. Furthermore, each printer server 11, 21 and 31 has a memory storage to store the obstacle history files 13, 23 and 33, so it must have a job storage to store image-forming job (Paragraphs [0014] and [0015]).
- A job transfer section (not shown) configured to transfer the image forming job stored in the job storage section to said another image job-job managing apparatus via the communication section based on a job output destination change command, which requests a change of an output destination of the image forming job and is issued by the terminal (Paragraphs [0004], [0009]-[0011], [0017]-[0022]), with regard to claims 1, 8 and 12.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant's attention is invited to the followings whose inventions disclose similar devices.

- Shimakawa et al. (US 5,802,260) discloses a printing system.
- Wanda (US 6,474,881) discloses an image storing apparatus.

**CONTACT INFORMATION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoai-An D. Nguyen whose telephone number is (703) 305-3343. The examiner can normally be reached on M-F (8:00 - 5:30) First Friday Off.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (703) 305-6619. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Hoai-An D. Nguyen  
Examiner  
Art Unit 2854

HADN



ANDREW H. HIRSHFELD  
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